

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MINTEL INTERNATIONAL GROUP,)	
LTD, a United Kingdom corporation,)	
)	
Plaintiff,)	Case No.: 08 CV 3939
)	
v.)	Judge Robert M. Dow
)	Magistrate Judge Maria Valdez
MEESHAM NEERGHEEN, an individual,)	
)	
Defendant.)	
)	

**PLAINTIFF'S MOTION FOR LEAVE TO FILE PLAINTIFF'S MOTION TO
COMPEL DATAMONITOR'S COMPLIANCE WITH SUBPOENA**

Plaintiff MINTEL INTERNATIONAL GROUP, LTD. ("Mintel") hereby requests leave from this Court to proceed with filing Plaintiff's Motion to Compel Compliance with Subpoena. In support of its motion, Mintel states as follows:

1. Mintel requests leave of Court to proceed with filing Mintel's Motion to Compel Datamonitor's Compliance with Subpoena ("Motion to Compel").
2. Mintel's Motion to Compel contains references and citations to Defendant's deposition transcript. Opposing counsel has designated Defendant's deposition transcript as "confidential."
3. Pursuant to Local Rule 26.2(b), no document may be filed under seal without a prior order of the court specifying the particular document or portion of the document to be filed under seal. Therefore, only a document that has been previously determined by the court to be deserving of protection may be filed under seal, regardless of the existence of any protective order. *See* L.R. 26.2(b).

4. The Court has not yet ruled that the limited portions of Defendant's deposition transcript that are referenced within Mintel's Motion to Compel are deserving of protection.

5. Mintel has provided Defendant's counsel with a copy of Mintel's Motion to Compel and all necessary exhibits. A copy of the August 25, 2008 e-mail correspondence sent to Defendant's counsel enclosing Mintel's Motion to Compel is attached hereto as "Exhibit 1."

6. Mintel has also provided the Honorable Maria Valdez with two copies of Mintel's Motion to Compel and all necessary exhibits. The documents were delivered to the chambers of Judge Valdez on August 25, 2008.

7. Due to expedited discovery in this case and the quickly approaching preliminary injunction hearing date, it is imperative that the Court rule on Mintel's Motion to Compel on Thursday, August 28, 2008.

8. Accordingly, contemporaneously herewith the filing of this motion is a Notice of Motion, setting Mintel's Motion to Compel for hearing on Thursday, August 28, 2008 at 9:45 a.m.

9. Should Defendant's counsel deem it necessary, Defendant's counsel can proceed with filing and noticing for hearing a Motion to File Under Seal prior to Thursday, August 28, 2008 at 9:45 a.m. However, Mintel reasonably believes the limited portions of Defendant's deposition that are referenced within Mintel's Motion to Compel are not deserving of such protection.

WHEREFORE Plaintiff Mintel International Group, Ltd. respectfully requests that this Court grant Mintel leave to proceed with filing Plaintiff's Motion to Compel

Compliance with Subpoena. Mintel further requests that the Court hear oral arguments in support of Plaintiff's Motion to Compel Compliance with Subpoena on Thursday, August 28, 2008 at 9:45 a.m.

Respectfully submitted,

MINTEL INTENTIONAL GROUP, LTD.

By: /s/ Joseph R. Marconi
One of Their Attorneys

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Cindy Hooper

From: Cindy Hooper
Sent: Monday, August 25, 2008 4:05 PM
To: 'jlervick@bellboyd.com'
Cc: Katherine J. Pronk
Subject: Mintel v. Neergheen - Motion to Compel Datamonitor's Compliance with Subpoena
Attachments: Motion to Compel Datamonitor's Compliance with Subpoena.pdf

Ms. Lervick:

Attached please find Mintel's Motion to Compel Datamonitor's Compliance with Subpoena. Please note this has NOT been filed electronically because of references to Meesham's deposition but courtesy copies have been taken to Judge Valdez's chambers in a sealed envelope. Please let me know if you have any problem receiving same.

Thank you.

Cindy Hooper, Secretary to Katherine Pronk
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Motion to Compel
Datamonitor's...

